

**New Jersey State Board of Education
Minutes of the Meeting of the New Jersey State Board of Education
In the Conference Room on the First Floor
100 River View Executive Plaza
Trenton, NJ**

June 7, 2017

Presiding: Mark W. Biedron, President

Secretary: Kimberley Harrington, Acting Commissioner

PRESENT CONSTITUTING A QUORUM

Mr. Joseph Fisicaro
Ms. Edythe Fulton
Dr. Ernest Lepore
Mr. Andrew Mulvihill

ABSENT

Mr. Arcelio Aponte
Dr. Ronald Butcher
Mr. Jack Fornaro

CONVENING

State Board of Education President Mark Biedron convened the public meeting at 9:00 a.m. with the reading of the statement pertaining to the public session of the State Board meeting as it complies with the New Jersey Open Public Meetings Act.

The Open Public Meetings Act was enacted to insure the right of the public to have advance notice of and to attend the meeting of public bodies at which any business affecting their interest is discussed or acted upon.

In accordance with the provisions of this Act, the State Board of Education has caused notice of this meeting to be published by having the date, time and place thereof posted in the Department of Education, Secretary of State's Office and notice also having been given to the State House Press Corps, the Governor's Office and the State Board agenda subscribers.

And seeing there was a quorum, the meeting of June 7, 2017, was called to order.

ADJOURN TO EXECUTIVE SESSION

President Biedron then read the resolution pertaining to the executive session of the State Board meeting as it complies with the Open Public Meetings Act.

WHEREAS, in order to protect the personal privacy and to avoid situations wherein the public interest might be disserved, the Open Public Meetings Act permits public bodies to exclude the public from that portion of a meeting at which certain matters are discussed, now therefore be it

RESOLVED, that consistent with the provision of N.J.S.A. 10:4-12.b, the State Board Education will now adjourn to executive session to discuss personnel and legal issues. The State Board immediately adjourned to executive session on June 7, 2017.

RECONVENING

President Biedron reconvened the open meeting at 10:00 a.m. with the reading of the resolution pertaining to the resumption of the public session of the State Board meeting as it complies with the Open Public Meetings Act.

WHEREAS, consistent with the provision of N.J.S.A. 10:4-12.b, the State Board will now adjourn from executive session to resume the open session of this meeting.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES OF THE MEETINGS

On a motion duly seconded and carried, the State Board members approved the minutes of the public meeting conducted on May 3, 2017.

PRESIDENT'S REPORT

Public Testimony

President Biedron stated public testimony would not be held today at 2 pm because no one registered to testify. He also stated that the topics for the June 7 public testimony session included amendments to the Private Career Schools regulations and amendments to the Marie Katzenbach School for the Deaf regulations.

President Biedron stated that public testimony would be held on July 5, 2017 following the monthly public meeting of the State Board. He also stated that the topics for the July 5, 2017 public testimony session include the Notice of Substantive Change to chapter 16, Programs to Support Student Development (ABR amendments) and the Notice of Substantive Change to chapter 27, Student Transportation (Abigail's Law amendments).

He further stated that registration for the July 5, 2017 public testimony session would open on Thursday, June 15, 2017 and close at noon on Thursday, June 29, 2017.

President Biedron stated that anyone interested in speaking at or also attending the public testimony session must register so the State Board staff can make proper arrangements for space. He also stated that members of the public should contact the State Board office at 609-984-6024 or check the following website <http://education.state.nj.us/sboe/reg.php> for updates.

Resolution to Honor Ava Rybicki

President Biedron welcomed Ava Rybicki the 2016-2017 permanent student representative to the State Board of Education. Ava Rybicki is a senior from Williamstown High School in Gloucester County. President Biedron also introduced Ava's mother Erin Rybicki and her father Sebastian Rybicki.

In her last address before the State Board, Ava spoke about the skills she has learned this year. Ava also thanked the State Board members and the Commissioner for the positive experience as the state board student representative.

The State Board members approved a resolution congratulating and thanking Ava Rybicki for her service.

On a motion duly seconded and carried, the State Board approved the following resolution read by State Board member Edithe Fulton:

RESOLUTION FOR AVA RYBICKI

WHEREAS, Ava Rybicki, a student at Williamstown High School in Gloucester County, has served with dedication as the student representative to the New Jersey State Board of Education from July 2016 to June 2017; and

WHEREAS, Ava has ably executed her duties as the State Board's liaison to the student community with the utmost commitment, interest and enthusiasm; and has been an outstanding

representative of both the New Jersey Association of Student Councils and the Williamstown High School; and

WHEREAS, Ava participated in State Board meetings by making presentations which were articulate, thought-provoking and well-researched on a broad range of topics important to the student community and beneficial to the State Board members; and

WHEREAS, Ava's school career demonstrates that she has many and varied interests and is an accomplished student of academics and an asset to the school community;

WHEREAS, Ava's leadership activities and community service on the local and state level demonstrate that others have confidence in Ava and value her contributions; and

WHEREAS, Ava is a bright, outgoing young woman who sets long range goals and pursues them with eagerness and dedication; now therefore be it

RESOLVED, that the members of the New Jersey State Board of Education and the Acting Commissioner of Education, Kimberley Harrington, extend their sincere congratulations and appreciation to Ava Rybicki for a job well done and be it further

RESOLVED, that the New Jersey State Board of Education and the Commissioner of Education wish to acknowledge Ava Rybicki's personal and academic excellence as well as her leadership qualities, and that they wish her continued success in her future endeavors.

Selection of the State Board Nominating Committee

Edithe Fulton, chair of the Nominating Committee, presented the slate of candidates as: Mark Biedron for president and Joseph Fisicaro for vice president. The vote will occur next month. State Board members Arcelio Aponte and Ernest Lepore also participated on the committee.

Resolution to Establish the State Board Calendar of Meeting Dates for 2017-2018

President Biedron presented the draft monthly public meeting dates calendar for the 2017-2018 school year. The State Board plans to adopt a resolution at its June 7, 2017 monthly public business meeting regarding the annual calendar of the 2017-2018 meeting dates of the State Board of Education pursuant to N.J.A.C. 6A:1-2.2, N.J.S.A. 18A:4-7 and 10:4-6 et seq.

COMMISSIONER'S REPORTS

Weehawken School District Capstone Projects

Dr. Robert Zywicki, Superintendent, Weehawken School District and four of his students presented an overview of two AP Capstone Projects that the students are currently engaged. The Capstone projects reflected their research conducted on Minority student's education; and (c) Technology addiction among students.

Teacher Leader Endorsement Advisory Board Update

Acting Commissioner Harrington provided an update on the work of the Teacher Leader Endorsement Advisory Board. She stated that in September 2015, [New Jersey's Teacher Leader Endorsement](#) was signed into law. The endorsement allows teachers to develop their leadership skillsets to enhance their own practice as well as the practices of their colleagues. She also stated that an eleven-member Teacher Leader Endorsement Advisory Board (TLEAB) was established by law (N.J.S.A. 18A:26-2.18) to provide

the Commissioner of Education and the State Board of Education with recommendations related to the eligibility requirements and program of study needed to obtain the Teacher Leader Endorsement.

Acting Commissioner Harrington state that the Board is chaired by Heidi Olson, a special education teacher in the Hopewell Valley Regional School District, and a representative for the New Jersey Education Association. She also stated that the membership if the Board includes representatives from the American Federation of Teachers New Jersey (AFTNJ), New Jersey Association of Colleges for Teacher Education (NJACTE), New Jersey Association of School Administrators (NJASA), New Jersey Department of Education (NJDOE), New Jersey Education Association (NJEA), New Jersey Principals and Supervisors Association (NJPSA), and New Jersey School Boards Association (NJSBA). She further stated that the Department plans to partner with the Teacher Leader Endorsement Advisory Board to release a joint statement that publicly outlines the Board's guiding principles and recommendations.

Acting Commissioner Harrington stated that by 2020, the Board will make additional recommendations regarding roles and responsibilities related to the teacher leader endorsement.

Petition for Rulemaking

Acting Commissioner Harrington stated that the State Board received a petition for rulemaking request from Ms. Robyn LaTorre on April 26, 2017 requesting that the State Board of Education amend the rules pertaining to graduation requirements and add computer programming as an option for meeting the world language requisite. She also stated that the request was reviewed and it was determined that the petitioners request should be denied essentially because while a computer programming/code course may be valuable for students it does not meet the expectations of the World Languages Standard 7.1 in the New Jersey Student Learning Standards. She further stated that a computer programming course would not assist students in being prepared to engage in meaningful conversation, to understand and interpret spoken and written language, and to present information, concepts, and ideas, while also gaining an understanding of the perspectives of other cultures.

Acting Commissioner Harrington stated that it is unnecessary to amend the regulations because a school district has the discretion to set policy that would allow students to use a computer programming/coding course to fulfill five credits in 21st century life and careers or an elective to meet the 120 credits required for a State-endorsed diploma as established in chapter 8. She also stated that students interested in computer programming/coding also can take Advanced Placement Computer Science, which can be used to fulfill one of the three courses in mathematics required for a State-endorsed high school diploma. She further stated that a notice of action advising that the petition is denied will be filed with the OAL today and a copy of the notice of action will be mailed to the Petitioner as soon as possible.

ITEMS FOR CONSIDERATION:

**Items scheduled for a vote are marked with an asterisk.*

***A. Appointment(s)**

- There were no appointments.

***B. Certification of School Districts**

- Certified for a period of three years, the following school district(s) recommended by the Commissioner, pursuant to N.J.S.A. 18A:7A-14a and b.

| Certified School District | County |
|--------------------------------------|---------------|
| Greater Egg Harbor | Atlantic |

| | |
|---------------------|------------|
| Regional | |
| Garfield | Bergen |
| Cumberland Regional | Cumberland |
| Jersey City | Hudson |
| Secaucus | Hudson |
| Highlands Borough | Monmouth |
| Winfield | Union |

***C. State Board Calendar of Meeting Dates**

- The State Board adopted the following revised resolution pertaining to the annual calendar of 2017-2018 meeting dates of the State Board of Education pursuant to N.J.A.C. 6A:1-2.2, N.J.S.A. 18A:4-7 and 10:4-6 et seq.

RESOLUTION
ANNUAL CALENDAR OF STATE BOARD MEETING DATES

WHEREAS, N.J.S.A. 18A:4-7 states that, the State Board of Education shall hold public meetings at least once each month at such times as its rules may prescribe and at such other times and such places within the state as in its judgment may be necessary, but no meeting may commence later than 8:00 p.m.; and

WHEREAS, N.J.A.C. 6A:1-2.2 requires that such meetings be held at such time, place, and on such dates as established by the State Board, pursuant to N.J.S.A. 10:4-6 et seq., Open Public Meetings Act, and notice of such meetings shall be made in a manner consistent with the law; now therefore be it

RESOLVED, that the State Board establishes the following dates for its monthly business meetings and public hearings for the 2017-2018 school year, and directs that a copy of the dates be sent to the Governor, the Secretary of State, the news media, the county superintendents, and the state board agenda subscribers.

PUBLIC BUSINESS/WORK SESSION MEETINGS 2017-2018

| | | |
|--------------|------------|---------|
| July 5 | November 1 | March 7 |
| August 2 | December 6 | April 4 |
| September 13 | January 3 | May 2 |
| October 4 | February 7 | June 6 |

PUBLIC HEARING SESSIONS 2017-2018

| | | |
|---------------|------------|---------|
| July 5 | November 1 | March 7 |
| August 2 | December 6 | April 4 |
| September 13* | January 3* | May 2* |
| October 4 | February 7 | June 6 |

*Open Topic Sessions

Notice of changes in the above will be made in compliance with the requirements of the Open Public Meetings Act.

***D. State Special Education Advisory Council**

- Adopted the following resolution approving two reappointments to the State Special Education Advisory Council for a period of two years, pursuant to N.J.S.A. 18A:4-66.1 and US P.L. 94-142.

**RESOLUTION
TWO REAPPOINTMENTS TO THE
STATE SPECIAL EDUCATION ADVISORY COUNCIL**

WHEREAS, N.J.S.A. 18A:46-2 requires that the Commissioner shall appoint biannually an advisory council for special education with the approval of the State Board which will consist of not fewer than seven nor more than 15 members representative of professionals in the field of special education and parents of children with disabilities; and

WHEREAS, N.J.S.A. 18A:46-2 defines the role of the advisory council as advising in the promulgation of rules, regulations and implementation of N.J.A.C. 6A:14 and the establishment of standards and qualifications for professional personnel and further provides that the council members shall serve without remuneration; and

WHEREAS, the reauthorized Individuals with Disabilities Education Improvement Act (IDEA) of 2004 requires each state education agency to have an advisory panel for special education; and

WHEREAS, the New Jersey Department of Education has established and maintains an advisory panel, known as the State Special Education Advisory Council, for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State; and

WHEREAS, the advisory panel consists of members, that are representative of the state population and are composed of individuals involved in, or concerned with, the education of children with disabilities, including: (i) parents of children with disabilities; (ii) individuals with disabilities; (iii) teachers; (iv) representatives of institutions of higher education that prepare special education and related services personnel; (v) state and local education officials; (vi) administrators of programs for children with disabilities; (vii) representatives of other state agencies involved in the financing or delivery of related services to children with disabilities; (viii) representatives of private schools and public charter schools; (ix) at least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities; and (x) representatives from the state juvenile and adult corrections agencies; and

WHEREAS, a majority of the members of the panel shall be individuals with disabilities or parents of children with disabilities; and

WHEREAS, the advisory panel shall: (i) advise the department of unmet needs within the state in the education of children with disabilities; (ii) comment publicly on any rules or regulations proposed by the department regarding the education of children with disabilities; (iii) advise the department in developing evaluations and reporting on data to the Secretary of the United States Department of Education under Part B Sec. 618 of the Individuals with Disabilities Education Act; (iv) advise the department in developing corrective action plans to address findings identified in federal monitoring reports under this part; and (v) advise the department in developing and implementing policies relating to the coordination of services for children with disabilities; now therefore be it

RESOLVED, that the State Special Education Advisory Council meets the state mandate for an advisory council and the federal requirements for an advisory panel; and be it further

RESOLVED, that the Commissioner recommends that Barbara Gantwerk be appointed for a two-year term effective June 7, 2017

RESOLVED, that the Commissioner recommends that Amy Smith be appointed for a two-year term effective June 7, 2017.

***E. Fiscal Accountability, Efficiency and Budgeting Procedures**

- Adopted the amendments to the regulations pertaining to Tuition for Approved Private Schools for Students with Disabilities proposed at N.J.A.C. 6A:23A-18, pursuant to N.J.S.A. 18A:46-21 and 18A:4-15.

***F. Educational Facilities**

- Approved for publication in the New Jersey Register, the sunset readoption with amendments pertaining to the testing for lead in drinking water proposed at N.J.A.C. 6A:26-12.4, pursuant to P.L. 2016, c. 10, P.L. 2017, c. 76 and N.J.S.A. 18A:4-15.

***G. Evaluation of the Performance of School Districts**

- Approved for publication in the New Jersey Register the sunset readoption with amendments pertaining to the Quality Single Accountability Continuum regulations at N.J.A.C. 6A:30 pursuant to N.J.S.A. 18A:7A-10 et seq.

***H. Regulatory Equivalency and Waiver**

- Approved for publication in the New Jersey Register the sunset readoption with amendments to the Regulatory Equivalency and Waiver regulations at N.J.A.C. 6A:5, pursuant to N.J.S.A. 18A:4-15.

I. Marie Katzenbach School for the Deaf

- Discussed the sunset readoption with amendments of the Marie H. Katzenbach School for the Deaf regulations at N.J.A.C. 6A:21, pursuant to N.J.S.A. 18A:61-2 and 18A:4-15.

J. Career and Technical Education

- Discussed the amendments pertaining to Private Career Schools at N.J.A.C. 6A:19-7, pursuant to N.J.S.A. 18A:35-4.2, 18A:59-5 and 18A:4-15.

WORK SESSION

There was no work session.

NEW BUSINESS

There was no new business

ADJOURNMENT

On a motion duly seconded and carried, the State Board of Education adjourned its June 7, 2017, public meeting at 11:53 a.m.

Kimberley Harrington, Commissioner
Secretary, N.J. State Board of Education